

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

CENTRAL EXCISE APPEAL NO.71 OF 2006

Commissioner of Central Excise
Mumbai - I

.. Appellant.

V/s.

M/s.G.N. International, Mumbai

.. Respondent.

Mr.Rajiv Chavan with Mrs.Neeta Masurkar for the
Appellant.

CORAM : V.C. DAGA &
J.P. DEVADHAR, JJ.

DATED : 12TH JULY, 2006.

P.C. :

On the motion made by the learned counsel appearing for the appellant, he is allowed to withdraw this appeal with liberty to raise the question before Tribunal regarding lack of jurisdiction in the first Appellate Authority; the Commissioner (Appeals) to remand the matter back to the authority-in-original.

2. The appeal is, thus, dismissed in limine with liberty reserved in favour of the appellant.

(V.C. DAGA, J.)

(J.P. DEVADHAR, J.)